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FURTHER PROMOTION AND ENCOURAGEMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING THE QUESTION OF THE PROGRAMME AND METHODS OF WORK OF THE COMMISSION

Joint written statement submitted by Caritas Internationalis, Commission of the Churches on International Affairs of the World Council of Churches and Friends World Committee for Consultation (Quakers), non-governmental organizations in consultative status (category II)

The Secretary-General has received the following communication, which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[5 December 1991]

INTERNALLY DISPLACED PERSONS

1. At its forty-seventh session, the United Nations Commission on Human Rights adopted resolution 1991/25 entitled "Internally displaced persons". The resolution was introduced by the delegation of Austria and sponsored by Australia, Bulgaria, Canada, Costa Rica, Cyprus, Czech and Slovak Federal Republic, Finland, France, Greece, Hungary, Lebanon, Norway, Panama, Poland, Senegal, Union of Soviet Socialist Republics and the United Kingdom. The resolution was warmly welcomed by non-governmental organizations as a significant first step in focusing international attention on the protection and assistance needs of persons who are displaced within their own country.

2. Millions of people are internally displaced within their national borders often because of armed conflicts, civil and ethnic strife, gross violations of human rights and forced relocation. Persons who are internally displaced are to be found in all regions of the world. Displacement is a global problem and affects millions of people. They may find themselves in situations where they do not enjoy the protection of their Government and are often subject to serious human rights violations.

3. The majority of internally displaced persons flee their homes for the same reasons as refugees but because they remain within their own country they are not protected as refugees. Internally displaced persons must, therefore, look to the international community for protection as their own Government is either unwilling or unable to protect them. However, whether the victims find sanctuary within their own borders or across them is as much a matter of chance and geography as of forethought.

4. People who are internally displaced have been virtually ignored by the international community and no international intergovernmental organization is mandated to provide assistance and protection to them. However, when these persons are displaced through armed conflict or internal strife, the International Committee of the Red Cross (ICRC), according to its mandate as a specifically neutral and independent institution and intermediary, endeavours to ensure them protection and assistance. In other situations independent voluntary agencies provide wherever possible humanitarian assistance to internally displaced persons and are concerned about the many serious violations of their human rights.

5. In the case of armed conflict, persons displaced within their countries are protected by fundamental guarantees relating to the treatment of persons who do not take part in hostilities, under article 3 common to the four Geneva Conventions of 1949 and in Additional Protocol II of 1977 which relate to the protection of victims of non-international armed conflicts. In other situations existing human rights standards are applicable but they are not designed to meet some of the special needs of internally displaced persons.

6. Caritas Internationalis, Commission of the Churches on International Affairs (CCIA) and Friends World Committee for Consultation (Quakers) are deeply concerned about the very large numbers of internally displaced persons and the absence of any United Nations body to guarantee them international protection.

7. We propose that the United Nations Commission on Human Rights establish a mechanism at this session which would advance the protection of persons who are internally displaced. Through such a mechanism the Commission on Human Rights could, inter alia, seek and receive information, enter into dialogue with concerned Governments, undertake fact-finding missions, draft new protection guidelines and advise the Secretary-General on measures to be taken which would contribute to alleviating the plight of internally displaced persons.